OFGS File No.: P/2167-229

N THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

J. Robert Hitchings et al.

Date: October 19, 2001

Serial No.:

09/828,616

Group Art Unit:

Filed: April 6, 2001

Examiner:

For: LIKE KIND EXCHANGE SYSTEM AND METHOD

Asst. Commissioner of Patents and Trademarks

Washington, DC 20231

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Attention: Application Branch

OFFICE OF PETITIONS

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING DATE GRANTED

Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted, mailed May 14, 2001, submitted herewith is the Inventor(s) Declaration and our Check No. 6956 which includes the amount of \$130.00 in payment of the surcharge.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account #15-0700.

If this communication is filed after the time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on October 19, 2001

Respectfully submitted,

Brendan J. Kennedy

Name of applicant, assignee or Registered Representative

\$ignature

October 19, 2001

Date of Signature

Brendan J. Kennedy

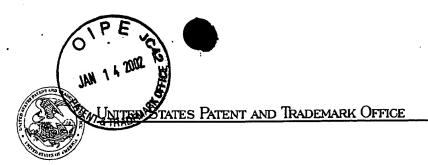
Registration No.: 41,890

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APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/828,616

04/06/2001

J. Robert Hitchings

P/2167-229

000002352 OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403 CONFIRMATION NO. 5849
FORMALITIES LETTER

OCCOMMONOSCOTTAGES 1:

Date Mailed: 05/14/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice <u>MUST</u> be returned with the reply.

AM

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PART 2 - COPY TO BE RETURNED WITH RESPONSE

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